

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----x

TRUSTEES OF THE UNITE HERE NATIONAL  
HEALTH FUND and TRUSTEES OF THE UNITE  
HERE NATIONAL RETIREMENT FUND,

Plaintiff,

-v-

No. 07 CV-6770 (PAC)

MICHAEL STUART DESIGN, LTD.,

*Electronically Filed  
Jury Trial Demanded*

Defendant.

-----x

**DEFENDANTS' ANSWER  
TO PLAINTIFF'S AMENDED COMPLAINT**

Defendant, by and through its attorney, Keith Le Pack, Esq., hereby answers the Amended  
Complaint of Plaintiff as follows:

**NATURE OF ACTION**

1. On information and belief, Defendant admits the allegations of this paragraph "1."

**JURISDICTION AND VENUE**

2. On information and belief, Defendant admits the allegations of this paragraph "2."  
3. On information and belief, Defendant admits the allegations of this paragraph "3."

**THE PARTIES**

form a belief as to the truth of each and every allegation contained in this paragraph "4."

5. The answering Defendant denies knowledge of sufficient information to form a belief as to the truth of each and every allegation contained in this paragraph "5."
6. On information and belief, Defendant admits the allegations of this paragraph "6."

7. The answering Defendant denies knowledge of sufficient information to form a belief as to the truth of each and every allegation contained in this paragraph "7."

**AS AND FOR AN ANSWER TO THE FIRST CLAIM FOR RELIEF BY PLAINTIFF  
TRUSTEES OF THE HEALTH FUND AGAINST DEFENDANT**

8. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 7, inclusive, with the same force and effect as if same were set forth more fully at length herein.

9. The answering Defendant denies the allegations contained in this paragraph "9."
10. On information and belief, Defendant admits the allegations of this paragraph "10."

**AS AND FOR AN ANSWER TO THE SECOND CLAIM FOR RELIEF BY PLAINTIFF  
TRUSTEES OF THE RETIREMENT FUND AGAINST DEFENDANT**

11. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 7, inclusive, with the same force and effect as if same were set forth more fully at length herein.

13. On information and belief, Defendant admits the allegations of this paragraph  
"13."

**AS AND FOR AN ANSWER TO THE THIRD CLAIM FOR RELIEF BY PLAINTIFF  
TRUSTEES OF THE HEALTH FUND AND PLAINTIFF TRUSTEES OF THE  
RETIREMENT FUND AGAINST DEFENDANT**

14. The answering Defendant repeats, reiterate and realleges each and every answer to the allegations contained in paragraphs 1. through 13, inclusive, with the same force and effect as if same were set forth more fully at length herein.

15. The answering Defendant denies the allegations contained in this paragraph "15."

16. On information and belief, Defendant admits the allegations of this paragraph  
"16."

**WHEREFORE**, the responding defendant respectfully demands an order and judgment as follows:

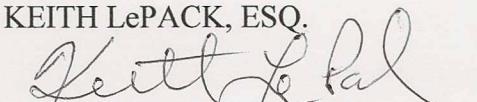
- a. Dismissing Plaintiff's complaint in its entirety;
- b. Such other and further relief as this Honorable Court deems just and proper.

Dated: New York, New York

January 24, 2008

Yours,

KEITH LePACK, ESQ.

  
Keith LePack, Esq. (KL-9767)  
211 West 71st Street, 5th Floor  
New York, New York 10023  
(800) 364-7132